



Slovak Republic

Country Reports on Human Rights Practices - [2004](#)

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The Slovak Republic is a multiparty parliamentary democracy, led by a prime minister and a 150 member parliament. In 2002, a reform oriented government, led by Prime Minister Mikulas Dzurinda, was elected. President Ivan Gasparovic serves as head of state and was elected for a 5 year term in April in free and fair elections. The Constitution provides for an independent judiciary; however, corruption and inefficiency were serious problems.

The national police have sole responsibility for internal and border security. With the exception of the Slovak Information Service (SIS), which reports directly to the Prime Minister, all internal security forces are under the Ministry of the Interior. A parliamentary commission composed of legislators from ruling and opposition parties oversee the SIS. Civilian authorities maintained effective control of the security forces. A few members of the security forces committed isolated human rights abuses.

The country had a population of approximately 5.4 million and an industrialized market economy. The gross domestic product (GDP) rose 5.4 percent during the first 9 months of the year. The private sector generated approximately 90 percent of the GDP in the first three quarters. Real wages rose 1.7 percent more than inflation, which was 8.1 percent during this period. The unemployment rate decreased to less than 14 percent nationwide but approached 30 percent in some regions.

The Government generally respected the human rights of its citizens; however, there were problems in some areas. Police officers used excessive force, particularly against Roma. Lengthy pretrial detention was a problem. Racially motivated crimes, predominantly by organized neo-Nazi groups targeting Roma, persisted. The crimes were not prosecuted to the fullest extent of the law, and police occasionally did not investigate the crimes thoroughly. Domestic violence against women and children remained problems. Trafficking in women also remained a problem. The Roma minority faced considerable societal discrimination, particularly in the areas of education, employment, and health care.

RESPECT FOR HUMAN RIGHTS

Section 1

Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports of the arbitrary or unlawful deprivation of life committed by the Government or its agents during the year.

An international Roma rights organization pursued a case of suspicious death after a large police raid in the eastern part of the country in February. A Roma was found dead in a shallow stream days after the police action. The autopsy determined the cause of death was drowning; however, the organization alleged the autopsy did not include injuries the Roma reportedly sustained earlier on the day of his death, and called for a more in-depth investigation. The case was closed when the family refused a further autopsy and requested burial.

The Supreme Court ruled that in the case of seven police officers charged with inhuman and degrading treatment in the 2001 death of a Roma in police custody, the Regional Court must begin the trial. This overturned the lower court's 2003 decision to return the case for further investigation. The trial had not begun by year's end.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits such practices; however, on occasion, police used excessive force, particularly against the Roma minority.

Authorities reportedly charged six police officers with brutality after the Government sent approximately 2,000 police and 1,000 soldiers to the eastern part of the country in February to quell a rash of grocery store looting. In an effort to discourage further looting in Trebisov, police raided the Romani settlement in the area and arrested 40 persons. Roma rights activists reported that police physically assaulted Roma, injured small children, unnecessarily broke windows and doors, and restricted the movement of residents in the settlement near Trebisov. The European Roma Rights Center (ERRC) reported that several injuries were sustained from the use of electric cattle prods. The Roma Plenipotentiary's Office submitted several complaints about the police action.

Police reportedly used pressure and threats to discourage Roma from pressing charges (see Section 1.d.). There were credible reports that, at times, police contributed to the problem of violence against Roma by not investigating attacks against them in a timely and thorough manner or by coercing Roma not to submit potentially incriminating evidence (see Sections 1.d. and 5).

In Zahorska Ves, a group armed with bats forcibly entered Romani residences and set fire to their homes on two occasions. A special unit in the Police Presidium began investigating this case after allegations arose regarding the possible involvement of local government officials and the failure of local police to accept testimony and evidence relating to the case. Roma activists also alleged that local officials attempted to relocate victims to another village.

There is a special police unit to monitor extremist activities, and a commission consisting of NGOs, police, and government officials advised the police on minority issues. However, the European Commission Against Race and Intolerance criticized that all too often racially motivated violence, particularly when committed by police, was not fully prosecuted.

Prison conditions generally met international standards; however, overcrowding continued to be a problem. The Government implemented improvements and expanded prison infrastructure through the year due to an increase in the prison population. Six out of ten prisoners worked in prisons, but there was not a national standard regulating payment.

The Helsinki Committee, in line with a formal agreement with the General Management of Prisons, monitored conditions in all jails holding convicted prisoners. Men and women were held separately, as were juveniles and adults, and pretrial detainees from convicted criminals.

d. Arbitrary Arrest or Detention

The Constitution prohibits arbitrary arrest and detention, and the Government generally observed these prohibitions in practice.

The national police has sole responsibility for internal and border security and reports to the Ministry of Interior. The 2003 reorganization of the police force created an improved framework to increase effectiveness, particularly with regard to the length of investigations. Instances of police corruption and misconduct were reported. Human rights observers continued to charge that police investigators were occasionally reluctant to take the testimony of witnesses, particularly Roma and the homeless. They also contended that, on occasion, police failed to promptly and thoroughly investigate cases involving Roma. Amnesty International alleged that police acted with impunity when conducting actions in Romani settlements. Mechanisms were available to investigate police abuses within the Police Inspection Unit at Police Headquarters. In a recent report, the unit stated that most complaints were in response to the behavior of police while on duty. The Ministry of Interior announced a new pilot project to train Romani police specialists.

The Constitution provides that a person can be taken into custody only for explicit reasons and must be immediately informed of the reasons for detainment. A written, substantiated court warrant is required for arrest. The court must grant a hearing to a person accused or suspected of a crime within 48 hours (or a maximum of 72 hours in serious cases) and either release or remand the individual. Detainees have the right to see an attorney immediately and must be notified of this right. If remanded by a court, the accused is entitled to an additional hearing within 48 hours, at which time the judge must either release the accused or issue a written order placing the accused in custody. The authorities respected these provisions in practice.

Attorney visits were allowed as frequently as necessary. The law allows monthly family visits upon request. There was a bail system.

Human rights observers reported that some Roma detained after the February store looting in Trebisov were wrongly accused even though police had eyewitness accounts testifying to detainees' innocence. In many cases, detainees were not allowed to contact their families, and family members were denied information about detainees.

NGOs alleged that police targeted Roma for arbitrary arrest. In July, a Revuca judge dropped the sentence of two Roma accused of participating in an attack in 2002. The victims confirmed that they were not present at the crime scene.

Pretrial detention may last up to 6 months, but was frequently extended in increments by judicial order up to 3 years. In certain cases, the Supreme Court may extend it to 5 years in extenuating circumstances.

Delays in court procedures and investigations frequently led to lengthy pretrial detentions. Due to inefficiency, prosecutors and judges occasionally released a detainee when the maximum period for detention expired before the trial date. Some alleged that criminals were occasionally released due to the influence of organized crime elements and/or bribery of court officials.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, problems with corruption and inefficiency in the judiciary continued, despite government efforts to overcome them. The Justice Ministry continued to take disciplinary action against judges suspected of corruption. A computerized system for random case assignment functioned at almost every level of the courts to reduce corruption.

In May, a special prosecutor to fight corruption was nominated and approved by Parliament and was granted the extended use of undercover operations in investigating corruption charges against politicians and judges. The Special Prosecutor's Office filed charges against a mayor in Bratislava-Raca suspected of accepting a bribe. The General Prosecutor's offices have also forwarded cases to be re-opened and brought before a special anticorruption court. At year's end, the Banska Bystrica Regional Court was acting as the Special Court, until all judges were appointed. No case decisions were handed down at year's end.

In May, Parliament passed a law to reorganize the lower courts, reducing the number of district courts from 55 to 45, effective January 2005. The reorganization was an effort to promote judge specialization and increase the efficiency of the overburdened lower courts. There were 8 regional courts. The Supreme Court, consisting of 79 judges, was the highest court of appeals. The Constitutional Court, with 13 judges serving 12 year terms, has no ties to the Ministry of Justice. The Judicial Council, a constitutionally recognized independent body of lawyers and judges, made decisions regarding disciplinary actions, administrative issues, and appointments of judges.

Persons charged with criminal offenses are entitled to fair and open public trials, and have the right to be informed of the charges against them, to retain counsel, and to confront witnesses, although in practice observers stated that corruption among judges could infringe on a person's right to a fair trial. Minority advocacy groups noted that Roma often did not receive a fair trial. A defendant, unless a person with disabilities or a minor, is not guaranteed free legal representation during a trial if the maximum criminal sentence is less than 5 years. Defendants enjoy a presumption of innocence, have the right to refuse self-incrimination, and may appeal adverse judgments. According to existing legislation, suspects are also presumed innocent during the appeal process.

Credible sources stated that it was difficult for indigent citizens and marginalized groups, such as minorities and persons with disabilities, to obtain noncriminal legal representation. Plaintiffs are required to pay a court fee of 5 percent of possible damages in advance. The fee is returned if the case is won, and the presiding judge may waive the advance payment. The Slovak Bar Association may ask lawyers to accept indigent cases under certain conditions, but only a small percentage of requests were eligible.

In November, the Government approved the concept for a new draft law for providing legal aid (free or partially paid). Under this concept, a public attorney office should be established, available in all districts, to provide legal services in criminal and civil cases.

Military courts hear cases concerning members of the armed forces, prisoners of war, and civilians suspected of war treason or who evaded mandatory armed forces service. There are three military circuit courts and one higher military court, decisions of which may be appealed to the Supreme Court. The Justice Minister appoints the chairman of the courts, who acts as the top administrative official, with agreement from the Defense Ministry. Occasionally, military courts have accepted high-level cases that may have an element of conflict of interest in regular courts, such as the investigations of police brutality during 1989 student protests and the recent bugging case of Pavol Rusko, chairman of the political party Alliance of New Citizens (ANO). There were no reports of political prisoners.

Since 1989, several laws provided for the remuneration of political prisoners and other victims of the Communist regime. In December, Parliament passed a new remuneration law sponsored by the Defense Ministry for those who worked as forced labor in military camps from 1939 to 1945. Additionally, individuals who served in foreign ally armies during this time or in domestic resistance are also eligible for compensation. During the year, a Justice Ministry analysis concluded that most groups have been adequately remunerated.

In 2003, Parliament approved a law on property restitution providing citizens a second opportunity to apply for the return of land confiscated by the state between 1948 and 1990. Under this law, over 13,407 cases were filed before the end of 2003. During the year, 1,258 of these cases were resolved.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law prohibits such actions, and the Government generally respected these rights in practice. Police must present a warrant before conducting a search or within 24 hours afterwards; however, some Roma activists alleged that police entered Romani homes without a search warrant.

The law regulates wiretapping and mail surveillance for the purposes of criminal investigation, which may be conducted by order of a regional court judge. In August, military prosecutors announced charges against three SIS agents in relation to the 2002 wiretapping complaint of Pavol Rusko, chairman of the ANO. Investigators themselves complained of intimidation and surveillance by the SIS throughout the investigation. The military court concluded that the wiretap targeted a major national newspaper rather than Rusko. In mid-December, the trial was postponed due to an attorney's illness.

In March, seven wiretapped recordings collected in the bribery case against Bratislava-Raca Mayor Pavol Bielik disappeared while in police custody. Prosecutors charged three police officers with abuse of power and negligence, and they were suspended from service pending the result of charges. In November, an appeal against the charges was rejected.

In 2003, an NGO released a report alleging a number of Romani women were victims of coerced or forced sterilizations. Government investigations found no evidence to pursue charges and no governmental policy supporting such practices, although the Government later admitted procedural shortcomings. International NGOs continued to criticize the government investigations, claiming investigators did not fully examine whether patients underwent surgeries with fully informed consent. Human rights organizations and international organizations called for increased protections for patients' rights and more health care outreach programs for minorities. The Government revised its legal norms covering sterilization and began pilot programs, such as Roma health assistants and clinics in areas with high populations of Roma. No victims received financial redress for alleged sterilizations.

Section 2

Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press, including academic freedom, and the Government generally respected these rights in practice.

Independent newspapers, magazines, and foreign press regularly published a broad range of opinion and news articles that were distributed nationwide. Journalists reported they were able to criticize the Government without fear of reprisal and were generally free from harassment or intimidation. Following allegations of undue political influence and noncompetitive practices, observers recommended that the Parliament-appointed supervisory boards for television and radio and the state funded News Agency of the Slovak Republic (TASR) should be restructured to ensure independence from the Government and political parties. The Constitutional Court examined the constitutional merits of the law governing TASR, and the Culture Ministry was preparing a new law at year's end.

ANO's chairman and Minister of Economy Pavol Rusko continued to influence TV Markiza's editorial policies, despite having divested his ownership interest. Media watchdog organizations criticized the station, saying its programming favored certain political parties. The Christian Democratic Party refused to grant Markiza personal interviews because of perceived unfair treatment by the station. TV Markiza employees filed a criminal complaint against Interior Minister Palko for comments about its programming; the complaint was later dismissed.

In 2003, highly criticized articles in the criminal code relating to defamation, including the paragraph classifying libel against public officials performing the duties of their office as a misdemeanor, were removed; however, in September, the Supreme Court ruled that a 2003 case against former journalist Peter Toth for verbally attacking a public office should be re opened. Toth allegedly lodged an anonymous criminal complaint that the Minister covered up a wiretapping scandal. At year's end, the case was still in investigation with no formal charges.

A military court concluded that an illegal wiretap targeted a major national newspaper rather than Pavol Rusko, the Minister of Economy, who lodged the complaint. The court charged three SIS officers with abusing the powers of authority. The trial had not begun at year's end.

In March, investigators closed a case against members of the press named in August 2003 by Prime Minister Dzurinda as co conspirators in a group seeking to destabilize the state. No charges were filed. In January, Prime Minister Dzurinda and his party SDKU sued two newspapers for libel for articles dealing with the case, as well as the Chairman of the Intelligence Committee, Robert Kalinak, for releasing the names. Both suits were rejected.

The Government did not restrict access to the Internet.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly and association, and the Government generally respected these rights in practice.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respected this right in practice. Registered churches, which require 20,000 permanent resident adherents, were eligible for state subsidies for clergy and office expenses. Leaders of a number of minority religious communities, in particular Muslims, smaller Protestant churches, the Hare Krishna community, and the Church of Scientology complained that the large numerical requirement effectively barred them from obtaining registered status, although smaller religions experienced no restrictions on assembly and worship.

The Government monitored, although it did not interfere with, religious "cults" and "sects." Unlike in previous years, there were no reports of SIS intimidation of members of the Church of Scientology.

In February, Parliament approved the governmental agreement pursuant to the 2001 framework treaty with the Vatican, which obliges students to take either a religion or an ethics class at the elementary school level. Classes began in September. Critics of the agreement claimed students in less populated areas may be denied the choice due to financial constraints or choose religion due to social pressure. The agreement also allows government-funded religious schools to remove material at odds with Catholic beliefs from the curricula.

Anti-Semitism persisted among organized neo-Nazi groups, estimated to have 500 active members and from 3,000 to 5,000 sympathizers. In June, vandals destroyed seven tombs at the Jewish Cemetery in Zvolen, which was the fourth attack over the past several years. During the year, three juvenile offenders were successfully prosecuted and given suspended sentences of 4 months to a year for vandalizing a Jewish cemetery in 2003. The Jewish community successfully pressed for parents of the vandals in the 2002 Banovce cemetery case to pay damages.

The Government extended the Action Plan to Fight Discrimination, Racism, Xenophobia, and Anti-Semitism, which supports antidiscrimination campaigns and teacher training, for an additional year.

Some property restitution cases remained unresolved; however, the Government compensated the Jewish community \$29.3 million (850 million SKK) for heirless property owned by Jewish families before the Holocaust.

For a more detailed discussion, see the [2004 International Religious Freedom Report](#).

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights, and the Government generally respected them in practice. The Constitution prohibits forced exile, and the Government did not employ it.

There were no restrictions on emigration or prohibition against the return of citizens; however, the Government closely monitored the emigration patterns of Roma.

The numbers of Roma seeking asylum in European countries decreased from previous years, although the Czech Republic continued to report large numbers of Romani asylum seekers and illegal migrants from the country. A Czech and Slovak governmental committee monitored increased migration patterns. Human rights organizations claimed increased migration was due to the lack of available economic opportunities in the country, close family ties in the Czech Republic, and a long standing tradition of seasonal construction work.

The law provides for the granting of asylum or refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees or its 1967 Protocol, and the Government had a system for providing protection to refugees. In practice, the Government provided protection against refoulement, the return of persons to a country where they feared persecution. The Government did not routinely grant refugee status or asylum. The Government cooperated with the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees and asylum seekers. The Government also provided temporary protection to individuals who may not qualify as refugees under the 1951 Convention/1967 Protocol. The law provides for temporary protection, classified as tolerated residence, which is granted if asylum is denied and the individual is not eligible for deportation to his or her country of origin due to administrative problems or fear for the person's safety. During the year, the Border and Alien Police granted tolerated residence status to 111 asylum seekers.

During the year, 11 refugees received citizenship. According to National Migration Office statistics, 15 persons received asylum out of a total of 11,391 cases. 11,586 cases were terminated during the year. The UNHCR criticized the current asylum process for the low number of asylum applicants accepted combined with a trend for applicants to disappear, generally to other countries from refugee camps located on the country's western border.

The Government provided \$1 million (30 million SKK) for a center to accommodate unaccompanied minors. The recipient organization purchased property for the future center.

During the year, there were several corruption charges within the customs and immigration police, including the December arrest of the director of the country's alien detention facility under the suspicion of illegal migrant smuggling.

Section 3

Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully, and citizens exercised this right through periodic, free, and fair elections held on the basis of universal suffrage. In May, the country joined the European Union.

Citizens could freely choose and change the laws and officials that govern them. In April, Ivan Gasparovic won the second direct presidential election. A referendum calling for early parliamentary elections, which some parties boycotted, was held at the same time as the first round of the presidential election. The Organization for Security and Cooperation in Europe determined the presidential elections to be free and fair; however, the observer mission noted that the controversial timing of the referendum and questions surrounding its constitutionality impacted the presidential election. The former president, who was running for re election, set the date for the opposition-led referendum on the same day as the presidential election. Connecting the two important events politically and organizationally was controversial and became a major topic in the election campaigns.

In March, Parliament passed a new election law governing parliamentary elections. It strengthens the role of candidates in preferential voting and liberalizes media use for campaigning. The new law also provides for absentee voting for citizens residing abroad.

Corruption in the legislative and executive branches was reported and publicly perceived as a problem. The Government and police cooperated on several related arrests this year. In November 2003, authorities charged an opposition Member of Parliament (M.P.) and the head of the office of a regional government with accepting bribes. Parliament voted to lift parliamentary immunity to allow prosecution in this case; the case was currently in trial at year's end. In September, the Supreme Court ruled that a public official from the former Meciar government who received an illegal bonus must return the sum. In addition, the deputy mayor of Kosice, the second largest city in the country, was arrested and taken into custody for taking bribes. The Mayor of Bratislava-Raca was also facing bribery charges.

The new Conflict of Interest Law, which mandates the public disclosure of assets, applied to all mayors, town councils, M.P.s, regional authorities, and national government leaders. Parliamentary disciplinary action needs a quorum of three fifths of the conflict of interest committee. The committee had not begun a procedure by year's end, but continued to collect asset disclosure statements. The Government Office to Combat Corruption initiated complaints against public officials and completed nearly 90 percent of the Government Action Plan to Fight Corruption.

The law provides public access to government information; however, NGOs claimed more education was needed about the responsibilities of government to provide information. Frequently, local government offices denied requests without justification or left them unanswered.

There were 24 women in the 150 member Parliament, 34 of 79 on the Supreme Court, and currently none serving in the cabinet.

The ethnic Hungarian minority party won 20 seats in Parliament in the 2002 election and was well represented in the Government. The chairman of the Party of the Hungarian Coalition (SMK) served as a deputy speaker in Parliament. The SMK also controlled three ministries, and a member of the party was re-nominated as the Deputy Prime Minister for Nationalities, Human Rights, and European Integration.

Some ethnic Romani parties were successful at winning representation at the local level; however, Roma were consistently underrepresented in government service and no Roma were in Parliament.

Section 4

Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were generally cooperative and responsive to their views.

The law requires foundations to register and have substantial financial resources in order to operate; however, no organization was denied registration or faced any other limitations on its operations.

The Government received recommendations from a council of NGOs on pending legislation and new initiatives. The Slovak National Center for Human Rights, a government-sponsored institution, held conferences, released a variety of publications, and is mandated by the new antidiscrimination law to be responsible for assisting individuals in resolving violations of human rights. The Human Rights Ombudsman, elected in 2002 to a 7 year term, accepted complaints about violations of fundamental rights and freedoms by public administration bodies. Both institutions received government funding but operated independently. However, observers stated further concentration was needed on educating the populace about human rights and personal responsibilities. The Office of the Ombudsman provided little information to the public about recommendations to the Government or the resolutions of claims.

In May, arsonists set fire to the office of the NGO People Against Racism, an organization that monitors the neo-Nazi movement

in the country. Prior to the fire, three activists were also attacked. According to the director, the group received frequent e-mail and phone threats. The police offered more protection until the NGO's office could be relocated to a more secure location.

Section 5

Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination and provides for the equality of all citizens. On May 20, the Slovak Parliament adopted the Law on Equal Treatment, which further defined discrimination and amended articles in labor, education, health, and state service legislation. The law provides for elements of positive discrimination, which the Ministry of Justice challenged in the Constitutional Court. The Court decided not to suspend this article while the case was pending, and it went into effect in July. The Roma minority were victims of societal violence and reported the Government enforced the law inconsistently in regard to their members.

Women

The law prohibits domestic violence; however, it was a pervasive problem. A new law provides stricter sentences for crimes against wives and family members in the same household and allows for continued criminal prosecution even when a spouse drops charges. Domestic violence was punishable from 2 to 12 years' imprisonment, depending on the nature of the crime. Activists claimed increased training about domestic violence and more victim specialists were needed to properly enforce the law. Victims' advocates demanded a better network of services for abused women, including government-funded treatment centers, in the face of increasing caseloads and lengthy court procedures.

In 2003, the police handled over 1,000 cases of domestic violence, but reportedly did not distinguish between family violence and violence against women. Since the crime is often underreported, statistics do not adequately reflect the extent of the problem. Nonetheless, official statistics continued to rise as public awareness grew after several NGO campaigns and police training.

The law prohibits rape, including spousal rape, and the Government enforced this effectively; however, it was a problem. The sentence for rape is 2 to 8 years' imprisonment and could be increased to 5 to 12 years depending on the age of the victim or whether violence was used. The sentence may be further increased to 10 to 15 years if there is a resulting death. The Prosecutor's Office reported 113 cases of rape in the first half of the year, with 39 sentences handed down. Specialists stated that this number was underreported. As for victims of domestic abuse, shelters and counseling are offered through NGOs and government-funded programs.

Prostitution is legal; however, the Criminal Code prohibits related activities such as renting apartments for prostitution, knowingly spreading sexually transmitted diseases, or trafficking in women for the purpose of sexual exploitation. There were reports that women were trafficked into the country for sexual exploitation (see Section 5, Trafficking).

A Government investigation did not find evidence to pursue charges based on the 2003 reports of coerced or forced sterilization. Nonetheless, the Government implemented several reforms, including amending the legal norms covering sterilization. Some alleged victims may also pursue claims for damages in civil courts (see Sections 1.f.).

Women are equal under the law, including in regards to property and inheritance rights; however, discrimination against women remained a problem in practice. Women typically earned approximately 30 percent less than men, particularly between the ages of 35 to 39. According to recent studies, the wage differential was approximately \$172 per month (5,000 SKK). Experts claimed that this was due to large numbers of women working in low paid occupations, such as the education or social services sectors.

The Office for Equal Opportunities is responsible for making recommendations on legislation and preparing the National Action Plan to Reduce Violence Against Women. Several active women's rights groups cooperated with the Government and Parliament. NGOs continued to push for increased opportunities for the political participation of women.

Children

The Government was committed to children's rights and welfare. The Ministries of Labor and Education oversaw implementation of the Government's programs for children. The Constitution, the Law on Education, the Labor Code, and the Family Code each addressed children's rights. Education was universal, free, and compulsory for 9 years, or until the age of 15; parents may be prosecuted for not sending their children to school, and local government can garnish the social benefits of parents of truant children.

Government-provided healthcare for children was adequate and equal for both girls and boys. There was a higher infant mortality rate for Roma, and poor nutrition was more common among Romani children. Outbreaks of jaundice and hepatitis were a problem for children living in settlements with poor sanitary conditions.

Most ethnic Slovak and Hungarian children attended school on a regular basis, but Romani children exhibited a lower attendance rate. The Government instituted several programs to combat this problem and overcome language and cultural

barriers, through teaching assistants, government funded preschool, and monthly stipends for travel and material costs for disadvantaged secondary school students. Romani children, nearly one fourth of the total number of children under 16, were disproportionately enrolled in special schools for the mentally handicapped. In certain special schools in the eastern part of the country, registered students are nearly 100 percent Romani.

Child abuse remained an underreported problem; however, a growing public awareness was evident in the increase in recent cases and reports in the media.

A number of children's foundations operated several programs for abused or disabled children. UNICEF Slovakia continued to operate a hotline for children, which received approximately 12,000 calls annually.

Child prostitution is prohibited. Community workers reported it was a problem in some Romani settlements with the worst conditions. The Penal Code contains a provision outlawing child pornography; there are only a few reported cases annually. During the year, there were no reported cases of trafficking in children.

There are approximately 6,000 children in institutional care and Roma constituted the majority of this population. Most government orphanages are long-term care facilities, rather than short-term residences. Activists claim that orphans have difficulties integrating into society at 18 years of age and are at increased risk to be victims of trafficking.

The Ministry of Labor funded programs to begin transforming large existing state institutions into smaller facilities operated by NGOs in accordance with a 2002 law.

Trafficking in Persons

The law prohibits trafficking in persons; however, there were reports that persons were trafficked from and within the country. Under the law, traffickers may be sentenced from 3 to 10 years. If the offender is a member of a crime syndicate, the sentence is increased to between 12 and 15 years.

The Police Antitrafficking Unit, Ministry of Interior, and Prosecutor's Office are responsible for combating trafficking. Government efforts to combat trafficking and assist victims were hampered by the lack of resources and coordination among ministries and government offices. During the year, police opened 27 cases involving trafficking and successfully resolved 18 of these investigations. They filed 21 criminal complaints and identified 38 victims. The Ministry of Justice reported six convictions up to October 2004. The police participated in international investigations on a limited basis.

In September, Slovak police arrested 15 members of an international trafficking gang; the Czech police cooperated to charge 2 Slovak citizens along with 8 Czechs in the trafficking ring. The group operated a hostess agency and forced women to sign contracts obliging sexual services. Clients from around the world ordered the women through the Internet. The traffickers allegedly earned from approximately \$339,000 to \$1 million (11 to 30 million SKK) over a period of 4 years from approximately 230 women.

In 2003, police arrested 7 members of a trafficking gang who had sent at least 60 women to Germany, Poland, Switzerland, and France over an 8-year period, with the suspected involvement of a low-level government employee. The case was pending at the end of the year.

The Police and the International Organization for Migration (IOM) reported the country was an origin and transit point for victims of trafficking, mainly for the purpose of sexual exploitation. Most of the victims trafficked through the country came from the former Soviet Republics, the former Yugoslavia, and Bulgaria. The major trafficking routes for victims were through the Czech Republic or Austria to Western Europe. Victims, who usually traveled by car or plane, were typically between the ages of 18 and 25, from various social backgrounds, but particularly from areas with high unemployment. Some experts alleged that Romani women, because of their socio-economic situation and less freedom of mobility, were more vulnerable to being trafficked by organized criminal gangs. Another high-risk group included men and women looking for seasonal work abroad, sometimes illegally, who were ill informed of the potential risks.

Traffickers lured women with offers of employment and assured victim compliance through violence. Activists who work with the few victims forced to work while transiting the country say most are placed as prostitutes or as dancers in exotic clubs. Such activity is concentrated on the border with Austria and close to Ukraine and most probably along trucking routes with a prevalence of nightclubs. In order to assure the victims' compliance, their documents are withheld, and their captors closely monitor them. Some allegedly are threatened with violence or even death if they attempt to escape.

There is no evidence of governmental involvement in or tolerance of trafficking; however, corruption on the borders and among police may have hampered efforts to combat trafficking. According to NGO activists, government agents such as customs and police officers treated victims poorly.

The Police Antitrafficking Unit referred victims to NGOs for assistance, though no formal screening or referral process was in place. The Ministry of Interior provided funding to an NGO (Dafne) for assisting returned victims on a case by case basis. The

Ministry of Labor gave a grant to an NGO to run an antitrafficking public awareness campaign in Romani communities in the central part of the country.

Persons with Disabilities

There was no discrimination against persons with disabilities in employment, access to health care, or in the provision of other state services; however, experts reported that access to buildings and higher education remained a problem. The law mandates access to buildings for persons with disabilities, and the Government generally enforced these provisions in practice. The law provides for health protection and special working conditions for persons with mental and physical disabilities, including special protection in employment relations and training.

The regional government of Presov operated a project for persons with severe disabilities in which they received training and subsequently were eligible for government provided employment opportunities.

NGOs reported that a better network of organizations is needed to monitor human rights violations and improve psychiatric care of patients with mental disorders. Organizations complained that the country lacked assistance programs for the mentally handicapped, such as work opportunities for persons with mental disorders after treatment. The Slovak Helsinki Committee criticized the continued use of "cage beds" that inhibit movement of mental health patients.

A working group, the Council for Citizens with Disabilities, served as a governmental advisory body regarding persons with disabilities. Several NGOs conducted public education campaigns on mental health diseases and worked cooperatively with the Health Ministry on the National Health Program.

National/Racial/Ethnic Minorities

Roma constituted the second largest ethnic minority, reported by the 2001 census to number 90,000, although experts estimated the population at up to 375,000 (nearly 7 percent of the population). Widespread discrimination against Roma continued in the areas of healthcare, education, housing, and employment. Entrance to some dining and entertainment establishments was barred, particularly in the eastern part of the country.

There were several reports that Roma suffered discrimination with respect to health care. The mortality rate for Romani children was 3 times that of the majority population, and the life expectancy for Roma was lower by almost 17 years. Reports of segregated hospital wards and allegations that Roma were more likely to be sterilized continued (see Sections 1.f.). The Ministry of Health began pilot programs for health care assistants that speak Romani and opened gynecological facilities in selected areas with large Romani populations.

Many NGOs alleged that segregation in schools continued. The Ministry of Education offered assistance to Roma by providing scholarships, investing in bilingual program teaching assistants for Roma, and sponsoring private schools with Romani as one of the languages of instruction. Nonetheless, Romani children were at greater risk of enrollment in special schools for the mentally handicapped.

The Milan Simecka Foundation and the ERRC released a housing study alleging Roma were more likely to confront housing discrimination. For instance, on a few occasions, local authorities and groups blocked construction permits or the purchase of land, or forced evictions. The report noted that many Romani settlements lacked formal infrastructure, access to clean water, and proper sewage systems. The Government designated financing for housing projects in settlements, but the tendering and construction process was slow. Some local governments withdrew from project financing because of the inability to decide upon appropriate strategies, while other communities showed some improvement.

In some Romani settlements, the unemployment rate was approximately 95 percent. Activists frequently alleged that some employers refused to hire Roma.

In February, protests and lootings of grocery stores occurred in response to changes in the social benefit system, on which many Roma depend. The Government sent police and military to secure private property and patrol communities. Activists stated that some members of the police used an inappropriate level of force in the area of Trebisov, resulting in several civilian injuries (see Section 1.c.). The use of a police blockade of the Romani community that inhibited free movement to and from the city was also highly criticized (see Section 1.d.).

The Government reported that usury, the illegal charging of high interest rates on small loans, was one of the main causes for the deepening poverty of Roma in settlements and a possible contributing factor in the February unrest. Since the lootings, the police investigated more than 99 instances of usury and reported that one-fourth of these cases were successfully prosecuted.

Skinhead violence against Roma continued to be a serious problem. For example, in March, masked men posing as police entered a home in Nove Mesto Nad Vahom and beat a Romani family, including children. The NGO People Against Racism reported that although police were increasingly responsive in their efforts to monitor and control the skinhead movement, the problem persisted.

The Government continued to fund minority language publications and media through the Ministry of Culture. International organizations criticized the mainstream national press for unbalanced reporting about minorities.

The Government's Plenipotentiary for Romani Communities opened five new regional offices to supervise the implementation of governmental policy on Roma, support infrastructure development, and cooperate with municipalities and villages to improve interaction between Roma and non Roma. The Ministry of Labor funded Roma Terrain Workers, specially trained social workers assigned to Romani settlements, to provide various kinds of assistance—from helping fill out paperwork to relaying the importance of education and preventative healthcare.

Section 6 Worker Rights

a. The Right of Association

The Constitution provides for the right to form and join unions, except in the armed forces, and workers exercised this right in practice. Approximately 30 percent of the work force was unionized. The Slovak Trade Unions Confederation included nearly 90 percent of all trade unions in the country. Unions were independent of the Government and political parties; however, they sometimes cooperated with opposition parties.

b. The Right to Organize and Bargain Collectively

The law provides for the right to organize and bargain collectively, and workers exercised these rights in practice.

In September, the Government abolished the existing law on the tripartite process, which required negotiations with trade union representatives and employers' associations on most laws concerning social sector issues. The parties continued to meet and act as an advisory body, although their decisions were not binding for the Government.

The Constitution provides for the right to strike legally in two instances: When collective bargaining fails to reach an agreement, or to support other striking employees' demands (solidarity strike). The unions generally exercised these rights in practice without restrictions. Strikes must be announced in advance. The law prohibits dismissing workers legally participating in strikes; however, strikers are not ensured protection if a strike is considered illegal or unofficial.

There are no export process zones. Also, there are no special laws or exemptions from regular labor laws in free trade zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children; however, there were reports that such practices occurred (see Section 5, Trafficking).

d. Prohibition of Child Labor and Minimum Age for Employment

There are laws to protect children from exploitation in the workplace, which were effectively implemented and enforced in practice. Problems with child labor were nearly nonexistent.

The minimum age for employment is 15, although children under 15 may perform light work in cultural or artistic performances, so long as it does not affect their health, safety, or schooling. The Labor Inspection Office and Health Protection Office must approve, agree on the maximum hours, and set conditions for child labor under 15. Children under 16 may not work more than 30 hours per week, and children 16-17 are limited to 37.5 hours per week. Children under 18 are not allowed to work underground, perform work that is inappropriate for their age or health, or work overtime.

Child labor complaints were received and investigated by district inspection units. If it was determined that a child labor law or regulation had been broken, the case was turned over to the national inspection unit of the Ministry of Labor.

e. Acceptable Conditions of Work

The minimum wage of \$224 (6,500 SKK) per month provided a decent standard of living for a worker and family in rural areas of the country, but not in urban areas. During the year, the Government streamlined the fund established in 2000 that guarantees lost wages due to employer bankruptcy or insolvency. The poverty line was \$182 (5,290 SKK) for a single person. The average salary for the first 9 months of the year was \$521 (15,105 SKK). The Labor Code mandates a maximum work week of 48 hours (including overtime). The trade unions, Ministry of Labor, and local employment offices monitored observance of these laws, and authorities effectively enforced them.

The Labor Code establishes health and safety standards that the Office of Labor Safety generally enforced. For hazardous

employment, workers undergo medical screening by a physician. They have the right to refuse to work in situations that endanger their health and safety and may file complaints against employers in such situations. Employees working under conditions endangering their health and safety for a certain period of time are entitled to paid "relaxation" leave in addition to their standard leave.